

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Confirmation No. 3823
Nobuharu OHSAWA et al.) Group Art Unit: 1794
Serial No. 10/590,703) Examiner: Marie R. Yamnitzky
Filed: August 25, 2006)
For: LIGHT EMITTING ELEMENT AND)
LIGHT EMITTING DEVICE)

TERMINAL DISCLAIMER

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Eric J. Robinson, residing at 3166 Southfield Drive, Oak Hill, VA 20171, represent that I am an attorney of record in the above-identified application and that I am a representative empowered to act on behalf of the assignee identified below.

The assignee is Semiconductor Energy Laboratory Co., Ltd., of 398, Hase, Atsugi-shi, Kanagawa-ken, Japan 243-0036. The foregoing assignee states that the Assignment referred to below has been reviewed and certifies that, to the best of its knowledge and belief, the entire right, title and interest in the above-identified application is in the name of Semiconductor Energy Laboratory Co., Ltd., by virtue of an Assignment recorded in the U.S. Patent and Trademark Office at Reel 18244, Frames 0497-0498.

Semiconductor Energy Laboratory Co., Ltd., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 7,238,806. Semiconductor Energy Laboratory Co., Ltd., hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and prior Patent No. 7,238,806 is commonly

owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Semiconductor Energy Laboratory Co., Ltd., does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of prior Patent No. 7,238,806, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 35 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,



Date: 11/09/09

Eric J. Robinson
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